

AO 91 (Rev. 5/85) Criminal Complaint

E-FILING

United States District Court

NORTHERN DISTRICT OF CALIFORNIA

2007 MAR 30 AM 11:08

UNITED STATES OF AMERICA

v.

JOSE HERNANDEZ BONILLA, JR

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

CRIMINAL COMPLAINT

CASE NUMBER:

07 70188 RS

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 29, 2006 in Santa Cruz county, in the

Northern District of California defendant(s) did, (Track Statutory Language of Offense)

Felon in Possession of a Firearm

10 year term of imprisonment

\$250,000 fine

3 year period of supervised release

\$100 mandatory special assessment

in violation of Title 18 United States Code, Section(s) 922(g)(1)

I further state that I am a(n) Special Agent-A.T.F. and that this complaint is based on the following
Official Title

facts:

See attached affidavit.

Continued on the attached sheet and made a part hereof:

☒ Yes☐ NoApproved
As To
Form:

AUSA: THOMAS M. O'CONNELL

Name/Signature of Complainant:

Sworn to before me and subscribed in my presence,

Date

3/30/07

at

San Jose, CA

City and State

RICHARD SEEBORG
United States Magistrate Judge

Name & Title of Judicial Officer

Signature of Judicial Officer

Affidavit of Special Agent Mari Casciano

I, Mari L. Casciano, being first duly sworn and under the penalty of perjury, state to the best of my knowledge, as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and have been so employed since October 2004. I have completed the following professional training at the Federal Law Enforcement Training Center, Glynco, Georgia, Criminal Investigator Training Program (13 weeks) and ATF Special Agent Basic Training (14 weeks). I possess a Bachelor of Arts degree in Criminal Justice from The Richard Stockton College of New Jersey (2001). I have undergone extensive training in investigations pertaining to violations of federal and state firearms laws.
2. I make this affidavit in support of a criminal complaint and arrest warrant charging Jose Hernandez Bonilla Jr. with a violation of Title 18, U.S.C. §922(g)(1), felon in possession of a firearm.
3. The statements contained in this affidavit are based, in part, upon my own personal knowledge, but are also based upon information provided to me by other law enforcement officers. Because this affidavit is for the limited purpose of setting forth probable cause for the requested arrest warrant, I have not necessarily


included every fact known to me through this investigation. I have set forth those facts I deem necessary to establish probable cause to believe that the above-mentioned violation has been committed.

4. On July 29, 2006, Watsonville Police Department (WPD) units were dispatched to assist Santa Cruz County Sheriff's Officers (SCCSO) after notification that a possible gang fight was in progress involving approximately fifteen people. The California Highway Patrol (CHP) also responded. Upon arrival CHP detained two individuals, one of whom was identified as a member of the gang "Northside Watson."
5. WPD and SCCSO approached the group of men by foot, clearing all vehicles of suspects prior to advancing further.
6. WPD Officer Skipp Prigge observed, through the open window of a parked GMC Yukon, a Remington Shotgun with a pistol grip laying across the driver's seat.
7. Officers detained the group of people for officer safety. One of the individuals detained was Jose Hernandez Bonilla Jr. (DOB: █████ 1973, SSN#: █████-4786, California Driver's License # B5527548, FBI#: 796980NA9). Officer Prigge asked Jose Bonilla if the GMC Yukon was his. Bonilla said it was. Officer Prigge then asked if he had the keys to the vehicle. Jose Bonilla said he did and pulled them out of his front pants pocket. The GMC, Yukon, grey in color, bearing California license plate #5MNC953 and the vin number 1GKEC13TX1J248250 is in fact registered to Jose Bonilla, address 733 Glemar Street, Watsonville,

California, 95076.

8. Officers collected the Remington, model 870, 12 gauge, sawed-off shotgun with a 13" barrel length and a 24" overall length bearing the serial number 4682DU for evidence. At the time the shotgun was found it was loaded with one round in the chamber and three rounds in the magazine tube. The safety was in the off possession.
9. On August 24, 2006, WPD sent the Remington, model 870, sawed-off shotgun to California Department of Justice, Bureau of Forensic Services to be processed for latent prints. Report dated January 8, 2007, indicates that one usable latent impression was recovered. This latent impression has been identified as being made by the left thumb of subject Jose Hernandez Bonilla, DOB: 08/06/1973.
10. On March 15, 2007, I ran a criminal history search on Jose Hernandez Bonilla and learned that on January 14, 1992, Bonilla was convicted in Santa Cruz County of California Penal Code Section 23, Accessory. This conviction is a felony.
11. On March 16, 2007, Special Agent Thomas Cunningham, Interstate Nexus Expert, provided a verbal notification that the Remington, model 870, 12 gauge, shotgun bearing the serial number 4682DU affecting interstate commerce. This Remington shotgun was manufactured in Ilion, New York.
12. I know from my training as an ATF Agent that it is a violation of Title 18, United States Code Section 922(g)(1), for a felon to be in possession of a firearm.
13. Based on the foregoing, I believe that there is probable cause that Jose

Herenandez Bonilla Jr., was in possession of a firearm that affected interstate commerce after receiving a felony conviction.



Mari L. Casciano, Special Agent
Bureau of Alcohol, Tobacco, and
Explosives

Sworn to and subscribed before me
on this 30~~th~~ day of March 2007



RICHARD SEEBORG

United States Magistrate Judge